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On behalf of

Sheriff David Gee

before the

Subcommittee on Management, Investigations and Oversight

Committee on Homeland Security

U.S. House of Representatives

Unclogging Pipeline Security: Are the Lines of Responsibility Clear?

10:00 A.M. April 19, 2010

Hello, Chairman Carney, Ranking Member Bilirakis and subcommittee members. On behalf of Sheriff David Gee of the Hillsborough County Sheriff's Office, I would like to thank you for convening this hearing and for your efforts to improve our nation's pipeline security. I'm Colonel Ed Duncan. I've been employed with the Hillsborough County Sheriff's Office for thirty-two years, and have been responsible for overseeing our tactical operations for twenty of those years.

As you are aware, Hillsborough County has experienced three major chemical release situations which required substantial citizen evacuations over the past several years. In each of these situations, the Hillsborough County Sheriff's Office's responsibilities included:

1. Securing the incident site.
2. Evacuating citizens, if necessary, and taking other measures necessary to protect human life
3. Investigating any criminal activity associated with the security breach
4. Implementing and controlling alternative traffic patterns.

Our most recent chemical release requiring citizen evacuation was the anhydrous ammonia release of November 12-14, 2007. This leak was a result of a juvenile puncturing the pipeline, based on his unfortunately mistaken belief that the pipeline was a conduit for money between banks. There were no fatalities from that event, but hundreds of citizens were evacuated as a safety measure.

Since the 2007 incident, there have been significant improvements to local pipeline security. Pipeline vendors have placed security sheathing on above-ground pipes and installed enhanced locking mechanisms on valves and valve housing sites. Training drills related specifically to chemical releases are now conducted to maintain optimal response practices. The Tampa Bay Regional Domestic Security Task Force and Urban Area Security Initiative are now more particularly focused on hazardous materials security. Our local Critical Infrastructure Committee has increased its inspections of anhydrous pipeline sites. And today, through Site Profiler, all public safety and emergency response partners in Tampa Bay have continuous access to constantly-updated mapping and data information for all local chemical pipelines and facilities.

An important partner in our local security efforts is Assistant Federal Security Director Gregory Mertz, of the local office of the Transportation Security

Administration (TSA). SA Mertz routinely participates with emergency response agencies through our Urban Area Security Initiative and Regional Domestic Security Task Force. For example, last summer the local TSA sponsored a roundtable titled "Emergency Response to Anhydrous Ammonia Transportation Incidents" which was attended by approximately fifty public safety and emergency response leaders. As a result of this, and dozens of other similar collaborations over the past two and a half years, our region's public safety partners have become much better equipped to prevent and respond to a chemical incident.

Yet, there is still critical work that must be done. Today, no federal, state or local agency has clear regulatory authority to impose security improvements on companies involved in the production and transportation of chemicals through public areas. Regulation of the chemical production and transportation community is not a role that local government is authorized to control. Such regulation can only be developed and instilled through Federal leadership, legislation, and action. If you ask my agency what one single step remains to be taken that would most improve our nation's pipeline security, our response is that the Federal government should empower the Transportation Security Administration to both **establish and enforce** security regulations on chemical producers and transporters. We hope the work of this committee leads it to be successful in accomplishing this key step.

Going forward, it is our understanding that the TSA Pipeline Security Division is publishing updated pipeline security guidelines this year. We eagerly await receipt of these guidelines, and hope that they contain provisions that help ensure more stringent security measures are maintained by the companies responsible for producing and transporting hazardous materials in and near our communities. If there is anything the Hillsborough County Sheriff's Office can do to assist in this effort, we stand ready.

Thank you very much Chairman Carney, and Committee members for your proactive leadership in this important domestic security issue.